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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number 09/612,136

Filing Date 07/07/2000

First Named Inventor Tohru Nagano, et al.

Group Art Unit 2654

Examiner Name Edouard, Patrick Nestor

Total Number of Pages in This Submission

6

Attorney Docket Number AM999-118X

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OCT 28 2004

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ENCLOSURES (check all that apply)☒ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply **to Office
Action dated
July 19, 2004**☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Supplemental
Information Disclosure Statement☐ Certified Copy of Priority
Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication
to Group☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please
identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual name

Mark C. McCabe

Reg. # 53,291

Signature

Date

10/14/04

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

10/19/2004

Typed or printed name

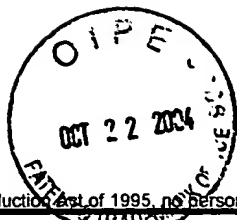
Cheryl G. Ruby

Signature

Date

10/19/2004

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

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Application Number 09/612,136
Filing Date 07/07/2000
First Named Inventor Tohru Nagano, et al
Examiner Name Edouard, Patrick Nestor
Group Art Unit 2654
Attorney Docket No. AM999-118X

OCT 28 2004

Technology Center 2600

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 09-0441
Deposit Account Name IBM CORPORATION

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	18.00	0.00
	-3** =	86.00	0.00
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Mark C. McCabe	53291	408-927-3380
Signature	Date	

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Attorney Docket No.: JA999-118X
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tohru Nagano, et al.

Serial No. 09/612,136

Filing Date: July 7, 2000

For: "METHOD AND SYSTEM TO
ANALYZE DATA"

Examiner: Edouard, Patrick Nestor

Art Unit: 2654

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OCT 28 2004

Technology Center 2600

Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This responds to the Office Action dated July 19, 2004, alleging that claims 7-11, 14-20, 21-23, and 26-28 are unpatenable under 35 U.S.C. S. 102 because they are anticipated by Vaithyanathan. In addition, the Office Action dated July 19, 2004, rejected claims 12-14 and 24-25 under 35 U.S.C. S. 103 as being unpatenable over Vaithyanathan in view of Register.

Claims 7-11, 14-20, 21-23, and 26-28 are patentable under 35 U.S.C. S. 102 in view of Vaithyanathan. Moreover, claims 12-14 and 24-25 are patentable under 35 U.S.C. S. 103 over Vaithyanathan in view of Register.

With regards to claim 7, Vaithyanathan does not teach a method of mining a collection of data to identify related concepts which occur at a frequency

greater than a configurable threshold. The Examiner has offered no indication that it does.

Also, Vaithyanathan does not teach or suggest “converting the received data into a common format.” The Examiner has suggested this is taught at col. 10, lines 43-59. However, col. 10, lines 43-59 at most provides for Programmers implementing the invention in Vaithyanathan so that cluster summary data may be presented in a user friendly interactive interface. Applicants invention is for converting a large amount of data into a common format, in order to facilitate analysis for concept extraction. This is not taught or suggested in Vaithyanathan.

Also, Vaithyanathan does not teach or suggest “combining the converted data discussed above into clauses of related data.” The Examiner suggests this is taught at lines 60-67 of col. 10 and Figure 6A. At most, lines 60-67 of col. 10 introduce an example related to principal component analysis (PCA). Applicant fails to see how this teaches “combining the converted received data into clauses of related data.” Moreover, as discussed above, applicant fails to see where Vaithyanathan converts any data for the purposes of facilitating concept extraction.

In addition, Vaithyanathan does not teach or suggest “attempting to associate a category with each word within each of the clauses.” The Examiner suggests that this is taught at lines 1-5 of col. 11. However, Applicant merely sees a reference to Figure 6B, which is a matrix, which seems to be unrelated to Applicants “attempting to associate a category with each word within each of the clauses.”

In addition, Vaithyanathan does not teach or suggest “identifying mutually dependent relationships between the categorized words, according to at least one rule defining mutually dependent relationships between categorized words.” Although the Examiner has suggested that this is taught in Vaithyanathan, no location is provided. Importantly, Applicant could not locate any teaching or

suggesting of rules which define mutually dependent relationships between categorized words in Vaithyanathan.

Moreover, Vaithyanathan does not teach or suggest “grouping the identified mutually dependent relationships into groups of related mutually dependent relationships.” The Examiner suggests that this is taught at lines 52-57 of col. 11 and Figure 6F. Applicant fails to see how lines 52-57 and/or Figure 6F anticipate “grouping the identified mutually dependent relationships into groups of related mutually dependent relationships.” There is simply no mention of identified mutually dependent relationships, or any mention of grouping such relationships into groups of related mutually dependent relationships.

Finally, Vaithyanathan does not teach or suggest “identifying unique concepts associated with the identified groups, wherein the identifying of unique concepts comprises recognizing the identified groups in which the related mutually dependent relationships exceed a configurable threshold.” The Examiner suggests that this is taught at col. 11, line 63 to col. 12, line 7. At best, it appears that a query which returns results is described. However, applicants invention pertains to mining a large collection of data and does not require a search query. Moreover, Vaithyanathan does not mention identifying unique concepts or exceeding a configurable threshold.

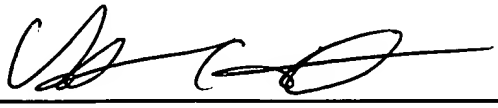
As a result, claim 7 is patentable under 35 U.S.C. S. 102 over Vaithyanathan. Because, claims 8-20 depend from claim 7, they are also patentable over Vaithyanathan. For the same reasons, claims 21-28 are also patentable under 35 U.S.C. S. 102 over Vaithyanathan.

For the reasons provided above, claims 1214 and 24-25 are patentable under 35 U.S.C. S. 103 over Vaithyanathan in view of Register. Register fails to cure the deficiencies noted with respect to Vaithyanathan.

Claims 7-28 are believed to be in condition for allowance. The Examiner is cordially invited to telephone the undersigned at (408)927-3380 for any reason which would advance the instant application to allowance.

Respectfully submitted,
Tohru Nagano et al.

Date: 60/19, 2004



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